IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 27803 of 2007(I)

PETITIONER:

P.K.MUHAMMEDKUTTY,
PALAPRAKKOTATHU HOUSE,
SOUTH PONG, KOLATHUR, MALAPPURAM.

BY ADV. SRI.P.V.JAYACHANDRAN

RESPONDENTS:
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1. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKER'S WELFARE FUND BOARD, MALAPPURAM.

2. DEPUTY TAHSILDAR (RR)
TALUK OFFICE, PERINTHALMANNA.

BY SRI.P.RAMAKRISHNAN
GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 27803 OF 2007
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Dated this the 25th day of September, 2007

J U D G M E N T

The main contention of the writ petitioner is that without serving a copy of the final determination order, revenue recovery was initiated.

2. Learned standing counsel on instructions submit that the final determination order was served on the petitioner on 21/4/07 and that even thereafter no appeal was filed. Therefore, the contention on merit against the revenue recovery is unsustainable. At this stage, the counsel for the writ petitioner seeks instalment facility to pay the amount due.

3. I heard the learned counsel for the 1st respondent also.

4. In the facts and circumstances of this case, the petitioner will be permitted to pay off the amount due as per Ext.P2 revenue recovery notice in 5 equal monthly instalments. The first instalment will be payable on 1/10/07 and the other instalments will be payable on the 1st of each of the succeeding

months. If the petitioner commits default in payment of any of the instalments, the respondents will be at liberty to proceed without further notice.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp